

DOCKET NO: 243847US23CONT

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF :
THOMAS M. WALKER, ET AL. : EXAMINER: LE, MIRANDA
SERIAL NO: 10/736,621 :
FILED: DECEMBER 17, 2003 : GROUP ART UNIT: 2167
FOR: PATIENT ENCOUNTER :
ELECTRONIC MEDICAL RECORD
SYSTEM, METHOD, AND COMPUTER
PRODUCT

REPLY TO NOTIFICATION OF NON-COMPLIANT APPEAL BRIEF

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

SIR:

In reply to the Notification of Non-Compliant Appeal Brief dated February 13, 2008,
please replace the Grounds of Rejection to be Reviewed on Appeal section with the following
Grounds of Rejection to be Reviewed on Appeal section:

VI. GROUNDS OF REJECTION TO BE REVIEWED ON APPEAL

The first ground to be considered on appeal is whether Claims 1-8, 11, 13-21, 24, 26-34, 37, and 39-43 are unpatentable over Segal (U.S. Patent No. 6,754,655) in view of Levy (U.S. Patent No. 7,076,437) under 35 U.S.C. § 103(a).

The second ground to be considered on appeal is whether Claims 9, 12, 22, 25, 35, and 38 are unpatentable over Segal in view of Levy, and further in view Fey et al. (U.S. Publication No. 2003/0187688, hereinafter Fey) under 35 U.S.C. § 103(a).

The third ground to be considered on appeal is whether Claims 10, 23, and 36 are unpatentable over Segal in view of Levy, and further in view Pressly (U.S. Publication No. 2002/0065854) under 35 U.S.C. § 103(a).

REMARKS/ARGUMENTS

In reply to the Notification of Non-Compliant Appeal Brief dated February 13, 2008, a corrected Grounds of Rejection to be Reviewed on Appeal section is hereby submitted. In the corrected Grounds of Rejection to be Reviewed on Appeal section, issue #3 lists claims 10, 23, and 36 as suggested in the Notification of Non-Compliant Appeal Brief.

Accordingly, early and favorable consideration of the present appeal is respectfully requested.

Respectfully submitted,

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